

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	Confirmation No.: 1960
Tomas SMETANA, et al.	Date: December 28, 2007
Serial No.: 10/801,415	Group Art Unit: 3726
Filed: March 15, 2004	Examiner: Afzali, Sarang
For: BELT TENSIONING ROLLER	

VIA EFS-WEB
Commissioner for Patents
P.O. Box 1450
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Interview Summary

Sir:

Applicant gratefully acknowledges the courtesy of Examiners Afzali and Bryant for granting a telephone interview with Applicant's undersigned representative, held Wednesday, 12 December 2007. The following is a brief summary of that interview.

First topic considered was the enablement of the claims terms "compression connection" and the support in the specification for the claim terms "radially overlap" and "deformed radially outward". Applicant argued that "compression connection" was understandable to any person of ordinary skill in the art and therefore inherently enabled. Moreover, Applicant argued that the radial overlay and outward radial deformation is inherently disclosed in the specification and original Figures 1 and 2, and therefore have adequate support. Examiners agreed that the rejections under § 112, first paragraph should be withdrawn.

Turning to the applied references, Examiners agreed that a prospective amendment combining the features of claims 1 and 2 would overcome the rejection over Russ, and further that Russ was non-analogous for potential combination as pertains to the claimed subject matter.

Turning to Franke, Applicant argued that Franke did not anticipate claim 1, because the rejection was premised upon reading the compression connection feature out of the claim. Moreover, even if Franke is considered to disclose a compression connection in its Figures, which applicant does not concede, there is no teaching or suggestion of plastic material strain as recited in claim 1. The balance of the references, i.e., Wuensch or Rosko, do not teach or suggest compression connection including plastic deformation, and moreover are entirely non-analogous to Franke, and therefore not properly combinable even if they did.

In sum, it was agreed on the basis of the arguments and proposed amendments presented that all standing rejections could be obviated. No further agreement was reached.

Respectfully submitted,

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ON DECEMBER 28, 2007



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